

STATE OF CALIFORNIA

STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: FELDERSTEIN FITZGERALD WILLOUGHBY & PASCUZZI LLP

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (Energy Commission) finds that this agreement will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and is not a “project” under CEQA because the work performed under this agreement will be done by attorneys and paralegals. The functions performed are purely a product of the mind and require few materials, if any, to complete the tasks associated with this agreement; and

**RESOLVED**, that the Energy Commission directs the Chief Counsel to enter into a legal services agreement with the law firm of Felderstein Fitzgerald Willoughby & Pascuzzi LLP. The purpose of the agreement is to provide legal advice and representation in the matter of *Energy Commission v. SoloPower, Inc. and SPower, LLC* (Sacramento County Superior Court Case No. 34-2013-00154569-CU-BC-GDS); and

**FURTHER BE IT RESOLVED**, that the Chief Counsel shall execute the same on behalf of the Energy Commission in consultation with the Commission Chair and/or Executive Director.

**CERTIFICATION**

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the California Energy Commission held on May 17, 2016.

AYE: [List of Commissioners]

NAY: [List of Commissioners]

ABSENT: [List of Commissioners]

ABSTAIN: [List of Commissioners]

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Cody Goldthrite,  
Secretariat